

as fm
MARR JONES & WANG
A LIMITED LIABILITY LAW PARTNERSHIP

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

SARAH O. WANG 6649-0
SEAN K. SANADA 8191-0

JAN 31 2011
at 12 o'clock and 30 min. ^{(S)up} M.
SUE BEITIA, CLERK

Pauahi Tower
1003 Bishop Street, Suite 1500
Honolulu, Hawaii 96813
Tel. No. (808) 536-4900
Fax No. (808) 536-6700
swang@marrjones.com

Attorneys for Defendants
FIRST HAWAIIAN BANK, VIVIAN ADAMS,
BARBARA NITTA, and ELIZA YOUNG

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

KANDICE L.K. KAGAWA,

CIVIL NO. CV11 00075 **SOM**
KSC

Plaintiff,
vs.

FIRST HAWAIIAN
BANK/BANCWEST
CORPORATION, as a domestic profit
corporation; VIVIAN ADAMS, in her
official capacity as Senior Vice
President, Human Resources Division,
for FIRST HAWAIIAN BANK.;
BARBARA NITTA, in her official
capacity as Vice President, Human
Resources Division, for FIRST
HAWAIIAN BANK.; ELIZA
YOUNG, in her official capacity as
Manager of the Credit Services Center,
for FIRST HAWAIIAN BANK;

DEFENDANTS FIRST HAWAIIAN
BANK, VIVIAN ADAMS,
BARBARA NITTA, and ELIZA
YOUNG'S NOTICE OF REMOVAL;
DECLARATION OF SARAH O.
WANG; EXHIBIT "A";
CERTIFICATE OF SERVICE

No Trial Date Set

(Caption continued on next page)

JOHN DOES 1-10; JANE DOES 1-10;
DOE CORPORATIONS 1-10; DOE
PARTNERSHIPS 1-10; DOE
UNINCORPORATED
ORGANIZATIONS 1-10; and DOE
GOVERNMENTAL AGENCIES 1-
10,

Defendants.

DEFENDANTS FIRST HAWAIIAN BANK, VIVIAN ADAMS, BARBARA NITTA, and ELIZA YOUNG'S NOTICE OF REMOVAL

TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT
OF HAWAII:

PLEASE TAKE NOTICE that, pursuant to the provisions of 28
U.S.C. §§ 1331, 1441 and 1446, Defendants First Hawaiian Bank, Vivian Adams,
Barbara Nitta, and Eliza Young (collectively “Defendants”), hereby remove Civil
No. 11-1-0012-01 RAN from the Circuit Court of the First Circuit, State of
Hawaii, to the United States District Court for the District of Hawaii. The grounds
for removal are:

1. On January 4, 2011, the instant action was commenced by the
filing of a Complaint; Demand for Jury Trial; Summons (“Complaint”) in the
Circuit Court of the First Circuit, State of Hawaii, identified as Civil No. 11-1-
0012-01 RAN, *Kandice L.K. Kagawa v. First Hawaiian Bank/Bancwest
Corporation, et al.* A true and correct copy of the Complaint is attached as Exhibit

A. The Complaint alleges, *inter alia*: (a) discrimination based on disability in violation of the Americans with Disabilities Act, 42 U.S.C. §§ 12101, *et seq.*; (b) discrimination based on religion and gender in violation of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e, *et seq.*; and (c) discrimination based on age in violation of the Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621, *et seq.* See Ex. A.

2. On January 10, 2011, Defendants were served with a copy of the Complaint. No other process, pleadings, and/or orders have been served upon Defendants in this case.

3. No further proceedings have been had, and thirty days have not elapsed since this action became removable to this Court. Thus, removal of this action is timely under 28 U.S.C. § 1446(b).

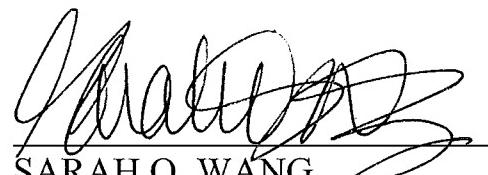
4. Defendants have the right to remove Civil No. 11-1-0012-01 RAN to this Court pursuant to 28 U.S.C. §§ 1331 and 1441 because the Complaint filed by Plaintiff Kandice L.K. Kagawa (“Plaintiff”) asserts claims under the Americans with Disabilities Act, 42 U.S.C. §§ 12101, *et seq.*, Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e, *et seq.*, and the Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621, *et seq.* The Court has subject matter jurisdiction over all other claims in the Complaint pursuant to 28 U.S.C. § 1337.

5. Pursuant to 28 U.S.C. § 1446(d), Defendants will provide counsel for Plaintiff with written notice of the filing of this Notice of Removal, and will file a copy of the Notice of Removal with the Clerk of the Circuit Court of the First Circuit, State of Hawaii.

6. By filing this Notice of Removal, Defendants waive no defenses to the Complaint.

WHEREFORE, DEFENDANTS hereby respectfully request that this action be duly removed from the Circuit Court of the First Circuit, State of Hawaii, to the United States District Court for the District of Hawaii and that the action proceed herein.

DATED: Honolulu, Hawaii, January 31, 2011.



SARAH O. WANG
SEAN K. SANADA

Attorneys for Defendants
FIRST HAWAIIAN BANK, VIVIAN
ADAMS, BARBARA NITTA, and
ELIZA YOUNG